

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

JOSE TRUJILLO,

Plaintiff,

v.

TACO RIENDO, INC., et al.,

Defendants.

No. 1:21-cv-01446-JLT-SAB

**ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS AND GRANTING
MOTION FOR DEFAULT JUDGMENT**

(Docs. 26, 28)

This action proceeds on a first amended complaint, filed December 20, 2021, against defendants Taco Riendo, Inc., Kewal Singh Basi as Trustee of the Basi Family Revocable Trust, and Olga Basi as Trustee of the Basi Family Revocable Trust, alleging violations of the Americans with Disabilities Act of 1990, 42 U.S.C. § 12101, *et seq.*; and California's Unruh Civil Rights Act, California Civil Code § 51, *et seq.* (Doc. 11.)

Plaintiff filed a motion for default judgment. (Doc. 26.) The assigned magistrate judge issued findings and recommendations that Plaintiff's motion for default judgment be granted. (Doc. 28.) The assigned magistrate judge also recommended reducing the requested attorneys' fees. (*Id.* at 25-32.) The findings and recommendations provided that any party could file objections thereto within 14 days (*Id.* at 33) but none were.

According to 28 U.S.C. § 636 (b)(1)(C) and Local Rule 304, this Court has conducted a de

1 novo review of the case. Having carefully reviewed the entire file, the Court finds that the
2 findings and recommendations are supported by the record and proper analysis. Thus,

- 3 1. The findings and recommendations issued June 22, 2022 (Doc. 28) **ADOPTED**
4 **IN FULL.**
- 5 2. The motion for default judgment (Doc. 26) is **GRANTED IN PART**, with the
6 reduced fee award as recommended by the magistrate judge.
- 7 3. Plaintiff is awarded \$4,000.00 in statutory damages, \$1,185.00 in attorneys' fees
8 and \$979.83 in costs, for a total award of \$6,164.83.
- 9 4. Plaintiff is granted an injunction requiring Defendants to provide disability access
10 to the property known as known as Taco Riendo, within six months of entry of the
11 order. The Defendants SHALL make the following modifications such that each
12 item is brought into compliance with the accessibility requirements of the
13 Americans with Disabilities Act and California Code of Regulations, Title 24:
 - 14 a) Providing a properly configured and identified van-accessible parking stall
15 with adjacent access aisle;
 - 16 b) Providing a properly configured accessible route from the accessible
17 parking stall(s) to the Facility entrance;
 - 18 c) Providing a properly configured accessible Facility entrance, including
19 properly adjusting and maintaining the door pressure and closing speed,
20 providing proper level maneuvering clearances at the exterior landing, and
21 providing a properly configured threshold;
 - 22 d) Providing a properly configured accessible table; and
 - 23 e) Providing a properly configured accessible portion of the transaction
24 counter.
- 25 5. The Clerk of the Court is directed to enter judgment in Plaintiff's favor and close
26 this case.

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1 6. Plaintiff is directed to mail a copy of this order to Defendants at their last known
2 addresses.

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4 IT IS SO ORDERED.

5 Dated: **July 29, 2022**


UNITED STATES DISTRICT JUDGE